

**Agenda**  
**Ninety-Fifth Regular or Special Meeting**  
**of the Twenty-Fifth Town Council of Highland**  
**Regular/ Special Meeting of Monday, June 11, 2007 at 7: 00 p.m.**  
**6:30 p.m. study session**

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<b>Pledge of Allegiance:</b>	Joseph A. Wszolek
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<b>Prayer:</b>	Joseph A. Wszolek
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<b>Roll Call:</b>	Bernie Zemen
	Mark A. Herak
	Robert Helmer
	Joseph Wszolek
	Daniel Dernulc

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<b>Minutes of Previous Session:</b>	Minutes of the Regular Meeting of 29 May 2007.
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<b>COMMENTS FROM THE PUBLIC for TOPICS on the AGENDA</b>	This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council. Depending on the nature of the comments, the Town Council may direct the staff to address the topic or follow-up on matters that may arise from public comments. Persons addressing the Town Council are requested to limit their presentations to <b>three (3) minutes</b> and to try to avoid repetitious comments.
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<b>Staff Reports:</b>	<ul style="list-style-type: none"><li>• Building &amp; Inspection Report for May 2007.</li><li>• Fire Department Report for May 2007.</li><li>• Workplace Safety Report for May 2007.</li></ul>
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<b>Unfinished Business &amp; General Orders:</b>	<ol style="list-style-type: none"><li>1. <b>Introduced Ordinance No. 1356:</b> An Ordinance Amending the Municipal Code and Establishing a so-called "Rainy Day Fund", pursuant to IC 36-1-8-5.5. Councilor Helmer introduced and filed Ordinance No. 1356 at the meeting of 29 May 2007. There was no further action. <i>Expenditures from the Rainy Day Fund would be used for temporary transfers to other funds of the town for cash flow purposes to meet debt service, payroll and monthly accounts payable when tax revenues are not received in a timely manner to mitigate interest expense on tax anticipation debt. Transfers from the Rainy Day Fund to other funds would be characterized as interfund loans to be retired as prescribed by state statute. An ordinance approved by the affirmative vote of four (4) members of the Town Council would enable a temporary or permanent transfer of assets of the Rainy Day Fund to another fund of the town for any lawful purpose authorized by state statutes.</i></li><li>2. <b>Introduced Ordinance No. 1357:</b> An Ordinance Amending Chapters 131, 72 and 73 of the Highland Municipal Code, regarding the Ordinance Violations Bureau, payable fines and authorizing Volunteers In Police Service to write certain non-moving ordinance violations. Councilor Zemen introduced and filed Ordinance No. 1357 at the meeting of 29 May 2007. There was no further action. <i>This ordinance is proposed on request of the Police Chief to enable properly trained Volunteers in Police Service (VIPS) to write citations for handicapped parking violations and fire lane violations. The town attorney has been asked to render an opinion whether state statutes enable VIPS personnel to write citations for snow route violations. The Council is asked to update the schedule of payable offenses (fines) consistent with the current statutory cap that has been raised from \$100.00 to \$250.00. Old or unenforceable language would be repealed.</i></li></ol>
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**Unfinished  
Business & General  
Orders continued:**

3. **Introduced Ordinance No. 1358:** An Ordinance to Amend the Compensation and Benefits Ordinance commonly called the Personnel Handbook regarding the High Deductible Option Employee Group Health Insurance, changing the lumps sum employer contribution to a quarterly figure, and identifying different fund source(s) for the contribution. Councilor Wszolek introduced and filed Ordinance No. 1358 at the meeting of 29 May 2007. There was no further action.

4. **Proposed Ordinance No. 1359:** Designating an Economic Development Target Area within an Economic Revitalization Area that is coterminous with the boundary of the Highland Redevelopment Area to enable property tax abatement for retail uses.

*At a meeting held May 14, 2007, the Town Council adopted Resolution 2007-23 designating an Economic Revitalization Area coterminous with the boundary of the Highland Redevelopment Area. This measure, unanimously recommended by the Economic Development Commission at a meeting held May 31, 2007, would enable property tax abatement for installation of new equipment, redevelopment or rehabilitation of real property for retail use.*

5. **Proposed Ordinance No. 1360:** Amending Chapters 130 and 150 of the Highland Municipal Code Prohibiting skateboard use at Main Square Park, at the Town Hall property and in the downtown area. (ABSTRACT)

6. **Resolution No. 2007-24:** A Sense of the Council Resolution Conveying the its position regarding a new state statute that mandates Lake County to enact an income tax.

7. **Resolution No. 2007-25:** A Sense of the Council Resolution Urging the Lake County Council to take the proper steps to preserve the current local taxpayer and local official review of municipal budgets rather than County Board of Tax and Capital Projects Review.

8. **Works Board Order No. 2007-07:** Setting June 25, 2007 as a date for a public hearing on proposed special assessments for the Branton Avenue project.

9. **Works Board Order No. 2007-08:** An Order of the Works Board Closing the municipal building on June 22, 2007 from 2:30 PM to the normal closing time so staff who so wish, may attend the Clerk-Treasurer Michael Griffin's wedding.

10. **CDR 2007-20:** A Council Decision Request Reporting bids received and authorizing a contract for repair of the town hall roof.

*Four contractors participated in the mandatory pre-bid conference. Bids will be opened 8 June at 4 PM*

11. **Appropriation Transfer** to help Building Dept complete procurement for cars. (?)

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**NEW BUSINESS:**

1. Ordinances filed or introduced for first reading. (If any)

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**Committee/Liaison  
Reports**

**Councilor Bernie Zemen:** Town Board of Metropolitan Police Commission Liaison • Traffic Safety Commission Member • Park and Recreation Board Liaison

**Councilor Mark Herak:** Waterworks Board Liaison • Fire Personnel Committee.

**Councilor Robert Helmer:** Board of Sanitary Commissioners Liaison • Lake County Solid Waste Management District Board of Directors member.

**Councilor Joseph Wszolek:** Advisory Board of Zoning Appeals Liaison • Chamber of Commerce Liaison • Building and Inspection Department Committee • Plan Commission member • Joint Board of Delegates SEAC member • Building and Inspection Committee.

**Councilor Daniel Dernulc:** Town Executive • Police Pension Board of Trustees Chair • Finance Committee Chair • Redevelopment Commission Liaison.

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**COMMENTS FROM  
THE PUBLIC for  
Matters NOT on the  
AGENDA**

This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council. Depending on the nature of the comments, the Town Council may direct the staff to address the topic or follow-up on matters that may arise from public comments. If necessary, the matter may be set for action at a future meeting. Persons addressing the Town Council are requested to limit their presentations to **three (3) minutes** and to try to avoid repetitious comments.

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**ACTION TO PAY  
Accounts Payable  
Vouchers**

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**ADJOURNMENT**

The Town Council will meet in study session immediately following the Regular Meeting.  
*Posted pursuant to IC 5-14-1.5-4(a)*

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Enrolled Minutes of 29 May  
2007 Meeting

To be supplied later

**ORDINANCE NO. 1356**  
**of the**  
**TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE ESTABLISHING A RAINY DAY FUND BY A RESIDUAL  
EQUITY TRANSFER OF ALL UNENCUMBERED CASH AND  
INVESTMENTS IN THE SELF INSURANCE FUND TO ACCUMULATE A  
CASH FLOW RESERVE TO MITIGATE INTEREST EXPENSE ON TAX  
ANTICIPATION WARRANTS**

WHEREAS, The Town Council is the fiscal body of the Town of Highland;

WHEREAS, IC 36-1-8-5 enables municipalities to establish a Rainy Day Fund whenever the purposes of a tax levy have been fulfilled and an unused and unencumbered balance remains in the fund; and,

WHEREAS, IC 36-1-8-5.1 enables municipalities to establish a Rainy Day Fund by the adoption of an ordinance specifying the purposes of the fund and the sources of funding for the fund; and,

WHEREAS, IC 36-1-8-5.1(f) provides that the state department of local government finance may not reduce the actual or maximum permissible levy of a political subdivision as a result of a balance in the Rainy Day Fund of the political subdivision; and,

WHEREAS, IC 36-5-2-9 provides that the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, IC 36-1-3-4 provides that the powers units have under IC 36-1-3-4(b)(1) are listed in various statutes, further noting that these statutes do not list the powers that units have under IC 36-1-3-4 (b)(2); therefore, the omission of a power from such a list does not imply that units lack that power; and

WHEREAS, IC 36-1-3-4 further provides that a unit has all powers granted it by statute as well as all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute;

WHEREAS, The Town Council has determined that it would be desirable to establish a rainy day fund and to allow the fund to be used for all the lawful purposes set forth in IC 36-1-8-5; and

WHEREAS, The Town Council has determined that it is necessary, desirable and of great public benefit, to establish the fund herein referenced to support and carryout the lawful public purposes of the municipality; and

WHEREAS, It would be and is in the best interest of the Town of Highland to enact an ordinance as an amendment to the Highland Municipal Code in order to further perfect the operation of the Town;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** The Highland Municipal Code is hereby amended by adding a new Chapter to be numbered \_\_\_\_ and to be entitled: Rainy Day Fund, which shall read as follows:

### ***RAINY DAY FUND***

#### **§ XXX.01 ESTABLISHMENT**

- (A) There is hereby authorized, created and established a fund of the Town of Highland, to be called the Rainy Day Fund, pursuant to IC 36-1-8-5 et seq.
- (B) The Rainy Day Fund is dedicated and established to provide resources for accumulating funds for cash flow purposes and mitigating interest expense on tax anticipation warrants when tax revenues are not received in a timely manner and other purposes permitted by IC 36-1-8-5 as may be amended from time to time and as set forth in this code.
- (C) The sources of funding for the Rainy Day Fund may include the following:
  - (1) Unused and unencumbered funds governed under: IC 36-1-8-5; IC 6-3.5-1.1-21.1; IC 6-3.5-6-17.3; or IC 6-3.5-7-17.3.
  - (2) A residual equity transfer of unencumbered assets of the Self Insurance Fund and any other funding source specified in an ordinance adopted amending this section; and not otherwise prohibited by law.
- (D) The Rainy Day Fund is subject to the same appropriation process as other funds of the municipality that receive tax money.
- (E) In any fiscal year, the Town Council may transfer not more than ten percent (10%) of the town's total annual budget for that fiscal year, adopted under IC 6-1.1-17, to the Rainy Day Fund as authorized by IC 36-1-8-5.
- (F) The Town Council may adopt a subsequent ordinance restricting the funding sources for the Rainy Day Fund specified paragraph (C) (2) of this section.

(G) The Rainy Day Fund is established until such time as the fund is repealed or rescinded by action of the Town Council.

#### **§ XXX.02 PURPOSES, USES and PERMISSIBLE EXPENDITURES**

(A) Expenditures from the Rainy Day Fund shall only be used for temporary transfers to other funds of the town for cash flow purposes to meet debt service, payroll and monthly accounts payable when tax revenues are not received in a timely manner to mitigate interest expense on tax anticipation debt. Transfers from the Rainy Day Fund to other funds shall be characterized as interfund loans to be retired within at least one and one half years as prescribed by IC 36-1-4.

(B) The affirmative vote of four (4) members of the Town Council may authorize a temporary or permanent transfer of assets of the Rainy Day Fund to another fund of the town for any lawful purpose authorized by state statutes.

#### **§ XXX.03 EXPENDITURE UPON APPROPRIATION**

Expenditures from the Rainy Day Fund may be made only upon appropriation by the fiscal body for the purpose for which the fund is specifically established, in the manner provided by statute for making other appropriations and shall be disbursed only on approved accounts payable vouchers allowed by the legislative body, all pursuant to IC 5-11-10 and IC 36-5-4.

#### **§ XXX.04 INVESTMENTS AUTHORIZED**

Money in the Rainy Day Fund may be invested provided that the yields from the purchase and sale of any such investments shall be deposited with the fund pursuant to IC 5-13-9 and Chapter 36 of the Highland Municipal Code.

#### **§ XXX.05 PRESERVATION and DISPOSITION OF FUND ASSETS**

All unused and unencumbered cash on deposit to the credit of the Rainy Day Fund do not revert to the corporation general fund nor to any other fund but shall remain with the Rainy Day Fund until such time as an ordinance is passed and approved by at least four (4) members of the Town Council which authorizes a transfer of any remaining unexpended, unencumbered assets of the fund, all pursuant to IC 6-1.1-41-5 and IC 36-1-8-5.

**Section 2. (A)** That on *or about* **January 1 2008**, the unobligated, unencumbered fund balance of the Health (Self) Insurance shall be

transferred to and deposited to the credit of the **Rainy day Fund created by this Ordinance**, where it may be spent according to the provisions governing the fund;

(B) Unless otherwise provided by act of the fiscal body, on or after October 1 2008, after all the encumbered obligated fund balance of the Health (Self) Insurance is discharged, **and following an audit by the Indiana State Board of Accounts**, the Health (Self) Insurance Fund shall be defeased, abolished and repealed in its entirety;

**Section 3.** Any and all such ordinances in conflict with the provisions of this ordinance are hereby repealed and are of no further force or effect.

**Section 4.** This ordinance shall become and be in full force and effect from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 29th day of May, 2007. Consideration on same day or at same meeting of introduction was not sought, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 11th day of June 2007 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of \_\_\_ in favor \_\_\_ opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

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**Daniel E. Dernulc, President (IC 36-5-2-10)**

**ATTEST:**

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**Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)**



**ORDINANCE No. 1357**  
**of the**  
**TOWN of HIGHLAND, INDIANA**

**An Ordinance to Amend Chapter 131 regarding the Ordinance Violations Bureau, Chapter 72 regarding Parking Regulations and a section in Chapter 73, Providing for the Enforcement Thereof, Repealing All Ordinances in Conflict Therewith, and Declaring an Emergency**

**WHEREAS,** The Town Council has conducted a study and investigation as to the amendments to Chapter 131 of the Highland Municipal Code within the Town of Highland;

**WHEREAS,** The Town Council has conducted a study and investigation as to the amendments to Chapter 72 and a section of Chapter 73 of the Highland Municipal Code within the Town of Highland;

**WHEREAS,** I.C. 9-21-1 *et sequitur* authorizes the Town of Highland, through its Town Council as a local authority to adopt local regulations regarding traffic; and

**WHEREAS,** I.C. 9-21-1-3(a)(1) specifically authorizes the Town of Highland, through its Town Council as a local authority with respect to streets and highways under the town's jurisdiction and within the reasonable exercise of the police power to regulate the standing or parking of vehicles; and

**WHEREAS,** I.C. 33-36-3-1(b) specifically authorizes the Town of Highland, through its Town Council as a local authority to establish an ordinance violations bureau; and

**WHEREAS,** The Highland Town Council has determined that several relevant sections of Chapter 131 as it relates to Chapter 72 of the municipal code require amendments in order to further perfect the municipality's regulatory operation with such amendments being in the best interest of the Town of Highland;

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY** the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That Chapter 131 of the Highland Municipal Code, shall be amended by deleting it in its entirety and then replacing it with a new Chapter to be called Ordinance Violations Bureau which shall read as follows:

**CHAPTER 131: ORDINANCE VIOLATIONS BUREAU**

## Section

131.01 Established

131.02 Administrator of bureau

131.03 Payable fines declared

131.04 Failure to satisfy civil penalty or failure to deny or admit violation

131.05 Ordinance violation not constituting judgment

131.06 Schedule of code or ordinance violations

### § 131.01 ESTABLISHED

There is hereby established in the Office of the Clerk-Treasurer of the Town of Highland an Ordinance Violations Bureau for the acceptance of written appearances, waivers of trial, admissions of violations, and payment of civil penalties of not more than the statutory limit set forth in IC 33-36-2-3 (4).

### § 131.02 ADMINISTRATOR OF BUREAU.

The Clerk-Treasurer of the Town of Highland shall be the administrator of said Ordinance Violations Bureau and, pursuant to the IC 33-36-3, shall be authorized to accept the payments of fines pursuant to this chapter.

### § 131.03 PAYABLE FINES DECLARED.

(A) All local ordinance violations as hereinafter may be designated by proper schedule and identified throughout the several sections of this code, are hereby now determined to be payable offenses, subject to admission before the Violations Clerk, which shall be the Clerk-Treasurer or his designee, and each violator may elect to pay a fine directly to the Office of the Clerk-Treasurer, Ordinance Violations Bureau, without the necessity of appearing in court.

(B) If a person charged with a violation of a municipal ordinance or a code violation as hereafter may be designated, wants to exercise the right to trial, the persons shall appear before the Violations Clerk and deny the violation or enter a written denial with the clerk.

(C) A person charged with an ordinance or a code violation is entitled to a trial before a court as provided by law, unless the person waives the right to trial and enters an admission of the violation with the violations clerk. Upon an admission, the clerk shall assess and receive from the violator the amount prescribed by the schedule of civil penalties established under Section § 131.06 of this Code.

(D) Any person cited for violations of the ordinance or code provisions shall be entitled to pay the fine at the Violations Bureau within 30 days of the issuance of the citation.

(E) Any person paying a fine at the Ordinance Violations Bureau shall execute a waiver of right to trial and admission of the violation.

§ 131.04 FAILURE TO SATISFY CIVIL PENALTY OR FAILURE TO DENY OR ADMIT VIOLATION.

(A) The clerk shall report to the official having responsibility to prosecute ordinance violation cases for the municipal corporation, if a person:

- (1) Denies an ordinance or code violation subject to the provisions of I.C. 33-36; or
- (2) Fails to satisfy a civil penalty assessed by the Violations Clerk after having entered an admission of violation; or
- (3) Fails to deny or admit the violation subject to the provisions of I.C. 33-36.

(B) Proceedings in court shall then be initiated against the person for the alleged ordinance violation.

(C) If the citation has not been paid at the Violations Bureau within 30 days of the date of issuance, the violation shall be filed with the Clerk of the Highland Town Court and the matter will be set for initial appearance.

§ 131.05 ORDINANCE VIOLATION NOT CONSTITUTING JUDGMENT.

Except as otherwise provided, an ordinance violation admitted under this chapter does not constitute a judgment for the purposes of I.C. 33-37, and ordinance violation costs fee may not be collected from the defendant under I.C. 33-37-4. In addition, an ordinance violation processed by the bureau may not be considered for the purposes of IC 33-37-7-5 or IC 33-37-7-6 when determining the percentage of ordinance violations prosecuted in certain courts.

§ 131.06 SCHEDULE OF CODE OR ORDINANCE VIOLATIONS.

(A) *Building Code.* The Town Council of the Town of Highland, Lake County, Indiana, hereby establishes and designates the following fine schedule for ordinances that are subject to admission before a Violations Clerk in the Ordinance Violations Bureau, and subject to the enforcement jurisdiction of the Building Inspector, the Associate Inspectors, the officers of the Highland Police Department, or any other person authorized or empowered to enforce the municipal codes of the Town of Highland:

Code Section	Violation	Fine
§210.015 et seq.	Building Code Violations	\$50
§210.015 et seq.	Permit Violations	\$50
§210.015 et seq.	Stop work orders violations	\$75
§210.051 et seq.	Electrical permit & swimming pool violations	\$50
§210.065 et seq.	Plumbing permit violations	\$50
§210.091 et seq.	Contractor License violations	\$50
§210.110 et seq.	Unsafe Building violations	\$75

§210.125 et seq.	Building demolition violations	\$50
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(B) *General Regulations.* The Town Council of the Town of Highland, Lake County, Indiana, hereby establishes and designates the following fine schedule for ordinances that are subject to admission before a Violations Clerk in the Ordinance Violations Bureau, and subject to the enforcement jurisdiction of the Building Inspector, the Associate Inspectors, the officers of the Highland Police Department, the Public Works Director, the General Supervisor of Public Works or any other person authorized or empowered to enforce the municipal codes of the Town of Highland:

Code Section	Violation	Fine
§94.03	Various Nuisance violations	\$40
§94.20	Weed violations (per day)	\$50
§95.02(B)(10)	Fireworks: Discharging unapproved fireworks as defined by IC 22-11-14 et seq.	\$25
§112.20 et seq.	Amusement license violations (per machine)	\$60
§114.01 et seq.	Peddler and Solicitors violations	\$60
§ 130.04	Skateboarding prohibited	\$45
§ 170.03	Unlawful origin of solid waste	\$50
§ 170.04	Littering	\$50
§ 170.05	Open burning of garbage or rubbish	\$75
§ 170.06 (E)	Trash collection/ pilfering violations	\$40
§ 170.06 (F)	Unauthorized collection of recyclables	\$40
§170.14	Abandoned refrigerators and appliances	\$75
§171.10 (B)	Sewage Disposal violations	\$75
§172.03	Bus bench violations	\$25
§172.38	Road cut violations	\$100

(C) *Park Regulations.* The Town Council of the Town of Highland, Lake County, Indiana, hereby establishes and designates the following fine schedule for ordinances that are subject to admission before a Violations Clerk in the Ordinance Violations Bureau, and subject to the enforcement jurisdiction of the Superintendent of Parks and Recreation, the Director of Parks, the officers of the Highland Police Department, or any other person authorized or empowered to enforce the municipal codes of the Town of Highland:

Code Section	Violation	Fine
§150.25	Defacing/destroying park property	\$45
§150.26	Bringing in Trees, Shrubs without authorization	\$45
§150.27 (A)&(B)	Littering or dumping trash/ noxious materials	\$45
§150.27(C)	Littering or dumping trash	\$45
§150.28	Unauthorized introduction of Game/ Unauthorized Fishing, hunting/ animal waste and pets on leash	\$45
§150.29	Fires, Ashes and the Like	\$45

§150.30	Firearms, Weapons, Explosives and throwing stones	\$45
§150.31	Sleeping and Camping	\$45
§150.32(A)	Park Traffic – parking and storage without payment of fee and overnight	\$45
§150.32(B)	Park Traffic – riding or operating vehicles in park	\$45
§150.32(C)	Park Traffic – riding or operating vehicles in park when closed or barricaded	\$45
§150.32(D)	Park Traffic –parking and storage only in parking designated lots	\$45
§150.32(E)	Park Traffic – vehicle and spot light shining into park	\$45
§150.32(F)	Park Traffic – 3/4 ton vehicle in park w/o special permit or authority	\$45
§150.33	Snowmobiles, Sledding, Skiing and Skating	\$45
§150.34	Golfing in parks	\$45
§150.34	Bows and Arrows prohibited	\$45
§150.36	Baseball play confined to designated areas and baseball diamonds	\$45
§150.37	Aircraft landing or alighting without a written permit	\$45
§150.38	Swimming bathing or wading	\$45
§150.39	Disturbing the peace	\$45
§150.40	Presence in park during hours of closing	\$45
§150.41	Alcohol and Drugs	\$75
§150.42	Gambling, Fortune telling, and the Like	\$45
§150.44	Use of facilities programs without proper fee	\$45
§150.45	Soliciting, Peddling, without a permit or authorized contract	\$45
§150.46	Dissemination and displays without permit	\$45
§150.48	Failure to comply with lawful orders of park/law enforcement personnel	\$45
§150.50	Use of moped, ATC and all terrain vehicles in parks	\$75
§150.51	Skateboarding where Prohibited	\$45

(D) *Parking / Non-Moving Violations.* The Town Council of the Town of Highland, Lake County, Indiana, hereby establishes and designates the following fine schedule for ordinances that are subject to admission before a Violations Clerk in the Ordinance Violations Bureau, and subject to the enforcement jurisdiction of the officers of the Highland Metropolitan Police Department, or any other person authorized or empowered to enforce the municipal codes of the Town of Highland:

Code Section	Violation	Fine
§72.04	Stopping, standing or parking near industrial plants gate	\$40
§72.05	Stopping, standing or parking on parkway	\$40
§72.06	Parking not to obstruct traffic	\$40
§72.06.01	Vehicles parked on sidewalks	\$50
§72.07	Parking in alleys	\$40
§72.08	Parking in front of public buildings and theaters	\$75
§72.10	Angle Parking	\$40
§72.12	Parking prohibited totally	\$65
§72.13	Truck parking	\$50
§72.14	Bus Loading Zones	\$50
§72.16	Parking prohibited during certain hours	\$40
§72.17	Fifteen minute parking	\$40
§72.18	Two-hour parking	\$40
§72.19	Special regulations for street work	\$40
§72.20	Special regulations for snow removal	\$75
§72.20.1	Parking during period of leaf collection	\$75
§72.24	Parking, storage or maintenance of certain vehicles in residential and commercial areas	\$100
§72.25	Parking without special permit display prohibited	\$125
§73.02	Snowmobile violations	\$100
§73.03	Parental responsibility for moped	\$75
§73.15	Moped violations	\$75

(E) *Fire Lane and Physical Disability Parking*. The Town Council of the Town of Highland, Lake County, Indiana, hereby establishes and designates the following fine schedule for ordinances that are subject to admission before a Violations Clerk in the Ordinance Violations Bureau, and subject to the enforcement jurisdiction of the officers of the Highland Metropolitan Police Department, **members of the Volunteers in Police Service (VIPS)** or any other person authorized or empowered to enforce the municipal codes of the Town of Highland:

Code Section	Violation	Fine
§72.09	Parking in fire lanes	\$60
§72.11	Parking for the physically handicapped	\$60

**Section 2.** That Section § 72.09 of the Highland Municipal Code, shall be amended by deleting it in its entirety and then replacing it with a new section to be numbered §72.09 and to be called *Parking in Fire Lanes* which shall read as follows:

§ 72.09 PARKING IN FIRE LANES.

(A) No person shall park or leave a vehicle in, on, or within a fire lane which is defined as a zone or area designated and prescribed as such by the Fire Chief of the town, acting in his capacity as a Deputy State Fire Marshal, or posted as such by signs on, in, or adjacent to said fire lanes.

(B) *Enforcement.* Subject to **IC 9-21-16-5.5**, the Highland Fire Chief, any officer of the Highland Metropolitan Police Department, a Code Enforcement Officer, the Building Commissioner **or members of the Volunteers in Police Service (VIPS)** may issue a citation for a violation of this section.

**Section 3.** That Section § 72.11 of the Highland Municipal Code, shall be amended by deleting it in its entirety and then replacing it with a new section to be numbered §72.11 and to be called *Parking for Persons with Physical Disabilities* which shall read as follows:

**§ 72.11 PARKING FOR PERSONS WITH PHYSICAL DISABILITIES.**

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**PERSON WITH A PHYSICAL DISABILITY.** A person who has been issued a placard under **I.C. 9-14-5** or a person with a disability registration plate for a motor vehicle, issued by the Bureau of Motor Vehicles under **I.C. 9-18-22**.

**PLACARD, DECAL, DISPLAY OR PERMIT.** (1) A parking permit for a person with a physical disability issued under **I.C. 9-14-5**; or (2) A disabled veteran's registration plate issued under **I.C. 9-18-18**; or (3) A registration plate or decal for a person with a physical disability issued under **I.C. 9-18-22**;

(B) Certain public parking spaces within the town shall be designated as reserved for a person with a physical disability under **IC 5-16-9-2**, **IC 9-21-1-3**, or **IC 9-21-18-4**, by posting immediately adjacent to and visible from the space or spaces, a sign erected and located in a manner that will not be obscured by a vehicle parked in the space, bearing the international symbol of accessibility. Such spaces shall include those designated in Chapter 75, Schedule II *as well as others which shall be lawfully designated by posting immediately adjacent to and visible from the space or spaces, a sign erected and located in a manner that will not be obscured by a vehicle parked in the space, bearing the international symbol of accessibility*. Parking in these spaces shall be reserved solely for the use of the following:

- (1) Vehicles displaying an unexpired parking permit for a person with a physical disability; or
- (2) Vehicles displaying an unexpired disabled veteran's registration plate; or
- (3) Vehicles displaying an unexpired registration plate or decal for a person with a physical disability; or
- (4) Vehicles displaying an unexpired parking permit for a person with a physical disability, an unexpired disabled veteran's registration plate, or an unexpired registration plate or decal for a person with a physical disability issued under the laws of another state;

(C) Any person who parks a vehicle in a space reserved for a person with a physical disability under IC 5-16-9-2, IC 9-21-1-3, or IC 9-21-18-4, and the vehicle does not display the permit, placard or registration plates described in Section §72.11 (B) of this chapter or a person who, in a parking space reserved for a person with a physical disability, parks a vehicle that displays the permit, placard or registration plates described in Section §72.11 (B) of this chapter but is not at that time in the process of transporting a person with a physical disability or a disabled veteran, commits an offense.

(D) *Enforcement.* Subject to IC 5-16-9-11, the Highland Fire Chief, any officer of the Highland Metropolitan Police Department, a Code Enforcement Officer, the Building Commissioner, the Highland Park and Recreation Superintendent, Park Director, Public Works Director, General Supervisor of Public Works **members of the Volunteers in Police Service (VIPS)** may issue a citation for a violation of this section.

**Section 4.** That Section § 72.25 (H) of the Highland Municipal Code, shall be amended by deleting it in its entirety and replacing it with a section to be numbered §72.25(H) which shall read as follows:

§72.25(H) The authority for enforcement of this section is authorized for and vested in the officers of the Metropolitan Police Department, the Fire Chief, or any other person authorized and empowered to enforce the municipal codes of the town.

**Section 5.** That Section § 72.99 of the Highland Municipal Code, shall be amended by deleting it in its entirety and replacing it with a section to be numbered §72.99 and shall be called Penalty and which shall read as follows:

§ 72.99 PENALTY.

(A) Except as otherwise provided, any person, entity or organization who shall violate any provisions of this chapter shall be fined in the amount set forth in the designated schedule as a payable offense subject to admission before the Violations Clerk of the Ordinance Violation Bureau in the amount set forth in the Admissions Clerk Payable Offenses Schedule in § 131.06.

(B) If such persons, entity or organization shall violate any provisions of this chapter, and there is a failure to satisfy the civil violation as set forth in Chapter 131 of this code, then such violations shall be construed as justiciable offenses and shall be subject to a fine of not less than \$50 per violation, nor more than \$2,500. Each day of such unlawful activity as is prohibited shall be deemed a separate offense.

(C) Any person who violates any provision of this chapter for which no penalty is otherwise provided shall be subject to the penalty provided in § 70.99.

**Section 6.** That Section § 73.30 of the Highland Municipal Code, entitled *Use of Passenger Restraint Systems* shall be amended by deleting it in its entirety.



**Section 7.** This ordinance shall become and be in full force and effect from and after the date of its passage and adoption upon its signature by the executive and publication in the manner prescribed by IC 36-5-2-10(a)&(b).

Introduced and Filed on the 29th Day of May 2007. Consideration on the same day or at same meeting of introduction was not considered pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this \_\_\_\_\_ Day of \_\_\_\_\_ 2007, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

\_\_\_\_\_  
Daniel E. Dernulc, President (IC 36-5-2-10)

**ATTEST:**

\_\_\_\_\_  
Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

ORDINANCE No. 1358  
of the  
TOWN of HIGHLAND, INDIANA

**AN ORDINANCE to AMEND PROVISIONS IN THE COMPENSATION and BENEFITS ORDINANCE.**

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

**WHEREAS**, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

**WHEREAS**, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

**WHEREAS**, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year; and

**WHEREAS**, The Town Council of the Town of Highland has been advised that modification to certain provisions of the Compensation and benefits Ordinance more commonly referred to as the Municipal Employees Handbook, would be desirable;

**WHEREAS**, The Town Council of the Town of Highland, as the town legislative body, now desires to modify certain provisions and to further perfect the wage and salary as well as the Compensation and Benefits ordinance,

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Town Council of the Town of Highland, Lake County, Indiana, that the Compensation and Benefits Ordinance be amended and modified, pursuant to the provisions indicated herein and as follows:

**Section 1.** That Ordinance No. 1053, first passed and adopted December 30, 1996, known as the Compensation and Benefits Ordinance, commonly called the Employee Handbook, as amended, from time to time, be further amended by repealing in their entirety those provisions beginning with the heading styled *Group Insurance* of the Compensation and Benefits Ordinance as amended, then substituting in its stead these provisions which shall now read as follows:

**Group Insurance**

The Town reserves the right to change alter, modify, or cancel the insurance plan coverage with or without notification. The Town provides full-time employees and the clerk-treasurer with a group insurance plan after an employee or the clerk-treasurer has completed at least thirty (30) days on the job. The coverage begins on the first of the month after the successful completion of the first thirty (30) days of employment. For specific details on the type and extent of coverage, please refer to the plan document, which will be provided at the time of enrollment.

**Town Council Member Eligibility**

The Town will not pay the premiums for the members of the Town Council for participation in any group insurance plans. However, the Town Council members are eligible to participate in the group insurance plans of the Town at their own expense for the cost of the premiums.

**IRC Section 125 "Flex Plan"**

The Town of Highland will provide a "full flex" plan pursuant to and as outlined in § 125 of the Internal Revenue Code. The plan will provide for conversion of employee premiums for group health insurance provided by the Town as employer. It will further provide for election by covered employees and officials to convert a medical reimbursement account and a dependent care reimbursement account. The governing body may from time to time adopt third party services agreements to carry out portions of the plan. Details of the plan shall be maintained as a plan document and retained on file.

### **High Deductible Health Insurance Option in Support of Health Savings Accounts (H S A)**

The Town of Highland will provide a HIGH DEDUCTIBLE option in our group health insurance to support worker establishment of Health Savings Account pursuant to and as outlined in the relevant sections of the Internal Revenue Code. The plan option will only be available to full-time employees and the Clerk-Treasurer who may elect the higher deductible option for the group health insurance plan.

The Town of Highland as employer will make a financial contribution to the individual health saving account of the employee or Clerk-Treasurer that elects to participate. The employee or Clerk-Treasurer must not be covered by any other group health insurance plan. Details of the plan shall be maintained as a plan document and retained on file. The financial contribution will be paid in quarterly installments and be based upon the high deductible group health plan elected by the participating employee or clerk-treasurer as follows:

- Individual Plan: \$225.00 quarterly (\$ 900)
- Adult Couple Plan: \$300.00 quarterly (\$1,200)
- Parent Plan: \$250.00 quarterly (\$1,000)
- Family Plan: \$375.00 quarterly (\$1,500)

### **Employee Contribution for Certain Group Insurance Premiums**

All full-time employees and the Clerk-Treasurer shall share the cost of the group health premium, which are to be paid through a salary reduction (payroll deduction) taken as a pre-tax payment according to the terms of a duly authorized IRC Section 125 Plan for the Town of Highland. The amount of the shared premium shall be fixed by ordinance as may be passed from time to time. All employees and elected officers may elect to include dependents under their group coverage.

All full-time employees and the Clerk-Treasurer who elect to participate in the group medical or health insurance shall pay the identified share of the group premium based upon the type of enrolled coverage selected by the employee or the clerk-treasurer for the duration of such coverage. The identified share of the group premium will be calculated as a percentage share of the annual gross base wage or salary of the covered employee, *excluding* longevity or overtime and then fixed as a flat amount to be paid bi-weekly, according to the following schedule:

#### **Group Health Employee Premium Share Schedule of Fees**

Employee (single) alone:	1.0%
Employee with child(ren):	2.0%
Employee with Spouse:	2.0%
Employee w/ Spouse & Child(ren)	3.0%

### **Group Plan Dental Insurance**

The Town will provide a dental insurance plan for all full-time employees and the clerk-treasurer.

#### **Group Dental Employee Premium Share Schedule of Fees**

Group dental plans have no required additional fee participation by full-time employees or the Clerk-Treasurer.

#### **Group Life and AD & D Employee Premium Share Schedule of Fees**

All employees and the Clerk-Treasurer shall pay \$1.00 per year toward the premiums for their group life insurance coverage.

Town Council members who elect dependent coverage, shall pay in full the appropriate premium corresponding for such coverage.

### **Group Plan Insurance for Deceased Employee's Dependent Family**

The Town will respond in one of the following ways, as directed by the deceased employee's dependent

family:

**Option 1.** The Town will pay premiums up to include two (2) full months following the date of the death month of the employee for the decedent's dependent family. Thereafter, additional coverage will be available under the terms of the COBRA law.

**Option 2.** The Town will allow a conversion of the equivalent economic value of the benefit described in option one, based upon the cost of the health/medical insurance premium that decedent's dependent family would be granted under option one, and permit the value to be applied to the dental insurance benefit that may be in force and available at the time. This would be in lieu of the Town paying the medical/health and other insurance benefits offered in option one. The Town will then pay the premiums for the dental plan as elected under the terms of COBRA. Once the converted value was extinguished, the dependent would be then required to pay premiums for coverage remaining under COBRA provisions.

Any such conversion will be adjusted for any time that may have lapsed from the date of the death month of the employee for the decedent's dependent family and the notification of the election of option two.

However, any additional benefit which may be offered under the terms of any dental plan then in effect would still be extended without modification or reduction to the benefit of this option.

The Clerk-Treasurer shall have authority to implement and administer this benefit policy, as adopted, including implementing the provisions related to the employee group premium co-payment, all in accordance with IC 36-5-6 et seq.

**Extension of Group Insurance Plan Coverage for Terminated or Separating Employee**

Employees who separate from employment for any reason and who elect to continue their group insurance plan coverage according to the terms of the insurance company contract, must pay insurance premiums under the terms of the COBRA law. Such electing employees shall pay the actual cost of the premium plus a two percent (2%) service fee. Payment must be made to the Clerk-Treasurer prior to the 5<sup>th</sup> day of each month for the month's insurance. If payment is not received by the fifth day of the month, the premium will not be paid for that month. **No notices of payment due will be sent to separating employees.**

*The Clerk-Treasurer shall have authority to implement and administer this benefit policy, as adopted, including implementing the provisions related to the employee group premium co-payment, all in accordance with IC 36-5-6 et seq.*

**Section 3.** (A) That the previously authorized employer lump-sum contribution in the amount of \$1,000 for workers electing to enroll in the higher deductible group health insurance plan, is hereby ratified and approved for those workers who elected to enroll in this option after January 1, 2007 and before May 1, 2007. Those workers who were enrolled will not be eligible for any new option or the provisions set forth in this ordinance until the new plan year;

(B) That the authorized employer *quarterly contribution* for workers electing to enroll in the higher deductible group health insurance plan, is hereby effective from and after June 1, subject to the provisions of subsection 3 (A) of this ordinance;

(C) That pursuant to IC 36-5-6-6(4), the Clerk-Treasurer shall have the authority to implement and administer the provisions related to the payment of the employer's quarterly contribution for workers electing to enroll in the higher deductible group health insurance plan;

**Section 4.** (A) That an emergency exists for the immediate taking affect of this Ordinance, which, subject to the provisions of this ordinance, shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, pursuant to any effective dates herein described and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to compile the several modifications to the Compensation and Benefits Ordinance, including those provisions adopted herein, in order to reconstitute the Employees' Handbook into a less ungainly compilation, that conforms to the substantive texts of the existing ordinance as amended, and present it to the Town Council for reauthorization, ratification and adoption.

Introduced and Filed on the 29<sup>th</sup> day of May 2007. Consideration on same day or at same meeting of introduction was not considered, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this \_\_\_\_\_ Day of \_\_\_\_\_, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Attest:

\_\_\_\_\_  
Daniel E. Dernulc, President (IC 36-5-2-10)

\_\_\_\_\_  
Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

TOWN OF HIGHLAND, INDIANA  
ORDINANCE NO. ~~1007~~ 1359

AN ORDINANCE DESIGNATING AN ECONOMIC DEVELOPMENT TARGET AREA  
WITHIN THE BOUNDARY OF AN ECONOMIC REVITALIZATION AREA ESTABLISHED BY  
RESOLUTION 2007-23 ADOPTED MAY 14, 2007 THAT IS COTERMINOUS WITH THE  
BOUNDARY OF THE HIGHLAND REDEVELOPMENT AREA TO ENABLE PROPERTY TAX  
ABATEMENT FOR RETAIL USES

WHEREAS, Indiana Code 6-1.1-12.1; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities in "Economic Revitalization Areas" as those terms are defined in the Act, and

WHEREAS, on May 14, 2007, the Highland Town Council adopted Resolution No. 2007-23 designating an Economic Development Revitalization Area coterminous with the boundary of the Highland Redevelopment Area; and

WHEREAS, IC 6-1.1-12.1-3(e) provides that any facility the primary purpose of which is retail food or beverage service; automobile sales or service; or other retail is not eligible for property tax abatement unless the facility is located in an Economic Development Target Area; and

WHEREAS, the Town of Highland has heretofore established a Redevelopment Area, the boundaries of which are described at Exhibit A and shown on a map titled Figure A, attached hereto and made a part hereof, which is hereinafter referred to as the Real Estate, and

WHEREAS, the Highland Redevelopment Commission desires to have the Real Estate within the Redevelopment Area designated as an Economic Development Target Area for the purpose of offering property tax savings for retail uses as an incentive to facilitate implementation of its Comprehensive Plan for the Redevelopment Area, and

WHEREAS, IC 6-1.1-12.1-7(a)(1) enables the Town Council to designate an Economic Development Target Area by ordinance after a favorable recommendation by the Economic Development Commission in a specific geographic territory that "has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property"; and

WHEREAS, IC 6-1.1-12.1-7(b) enables the Town Council to designate up to 15% of the total geographic territory of the town to be in Economic Development Target Areas; and

WHEREAS, at a meeting held May 31, 2007, members of the Highland Economic Development Commission determined the area proposed for an Economic Development Target Area within the Economic Revitalization Area that is coterminous with the Highland Redevelopment Area is substantially less than 15% of the total geographic territory of the town; and

WHEREAS, at the meeting held May 31, 2007, members of the Highland Economic Development Commission unanimously recommended designation of an Economic Development Target Area coterminous with the boundary of the Highland Redevelopment Area to enable property tax abatement for retail uses; and

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDAINED, by the Town Council of the Town of Highland as follows:

Section 1. The foregoing findings in the recitals to this ordinance are true, all information required to be submitted has been submitted in proper form and all requirements for approval of property tax abatement for retail uses within the Highland Redevelopment Area have been met.

Section 2. The real estate within an Economic Revitalization Area established by Resolution 2007-23 adopted May 14, 2007 that is coterminous with the boundary of the Highland Redevelopment Area as described at Exhibit A and shown in Figure 1, attached and incorporated herein by reference, is found, declared and designated an Economic Development Target Area.

Section 3. A property owner within said Economic Development Target Area who seeks tax abatement must submit an application of a form approved by the Redevelopment Commission and a "Statement of Benefits" (Form SB-1) prescribed by the Indiana Department of Local Government Finance before installing new equipment or before the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. The application will establish standards to be used for evaluating applications for tax deduction that have a reasonable relationship to development objectives and design standards of the Redevelopment Commission. The application fee shall be \$250.00 to defray actual processing and administrative costs.

Section 4. In the consideration of all abatement applications for retail uses, the Town Council will hold a public hearing before making its decision whether to approve a deduction. The Town Council may approve a deduction period up to ten (10) years.

Section 5. The Clerk-Treasurer is authorized and directed to file a copy of this resolution, including a description of the real estate as contained in Exhibit A, with the Lake County Auditor and the Department of Local Government Finance.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

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Daniel E. Dernulc, President (IC 36-5-2-10)

ATTEST:

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Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

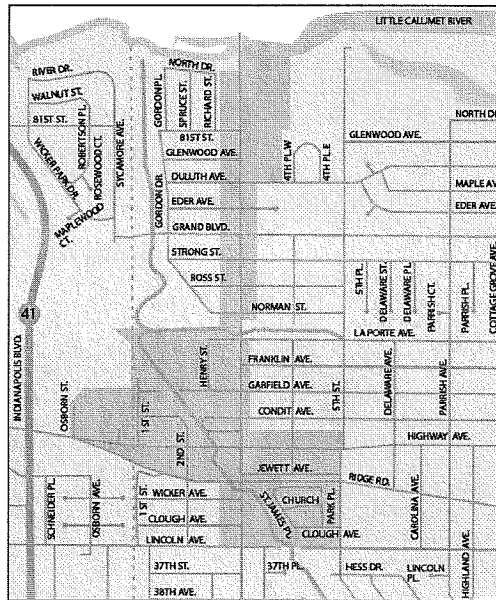
EXHIBIT A

ECONOMIC DEVELOPMENT TARGET AREA WITHIN THE BOUNDARY OF AN  
ECONOMIC REVITALIZATION AREA ESTABLISHED BY RESOLUTION 2007-23 ADOPTED  
MAY 14, 2007 THAT IS COTERMINOUS WITH THE BOUNDARY OF THE TOWN OF  
HIGHLAND REDEVELOPMENT AREA

COMMENCING: at the intersection of the alley West of Lincoln Avenue and Kennedy Avenue;  
THENCE: North to Ridge Road;  
THENCE: West on Ridge Road to Osborn Street;  
THENCE: North on Osborn Street to the NIPSCO Right-of-Way, extending along the Southeast line of the NIPSCO Right-of-Way to a point at which Garfield Avenue would intersect with the Norfolk Southern Railroad;  
THENCE: North on along the West side of the Norfolk Southern Railroad to the NIPSCO Right-of-Way and Northwest along the NIPSCO Right-of-Way to LaPorte Avenue, if extended;  
THENCE: East along LaPorte Avenue, if extended until the alley on the West side of Kennedy Avenue;  
THENCE: North on the West alley of Kennedy Avenue to the Little Calumet River;  
THENCE: East along the Little Calumet River for 505 feet;  
THENCE: South 983 feet;  
THENCE: West 40 feet;  
THENCE: South 714 feet along the East side of the alley to the South Right-of-Way of Duluth Avenue;  
THENCE: West to the East alley of Kennedy Avenue;  
THENCE: South along the East alley of Kennedy Avenue to the NIPSCO Right-of-Way;  
THENCE: West to the center of Kennedy Avenue;  
THENCE: South along the center of Kennedy Avenue to LaPorte Avenue;  
THENCE: East to the east alley of LaPorte Avenue;  
THENCE: South to the alley North of Highway Avenue;  
THENCE: East along the alley North of Highway Avenue to Fifth Street;  
THENCE: South on Fifth Street to Lincoln Avenue;  
THENCE: West on Lincoln Street to the point of beginning, the intersection of the alley West of Lincoln Avenue and Kennedy Avenue.



Figure 1



# Abstract of Ord. 1360

Abstract of Ordinance to Amend Chapter 130 by adding a new section to be numbered Section § 130.04 and to be styled as *PREMISES WHERE SKATEBOARDING IS PROHIBITED* and to amend Chapter 150 adding a new section to be numbered § 150.51 and to be styled as *SKATEBOARDING IS PROHIBITED*.

## **§130.04 PREMISES WHERE SKATEBOARDING IS PROHIBITED**

**(A) It is an offense for a person or persons to ride, drive or propel a skateboard on or around the following public places:**

- (1) The porch, stairs, walkways, approaches and parking lot of the Highland Municipal Building, 3333 Ridge Road, Highland.**
- (2) The public ways, sidewalks, bump-outs, public landscaping and plant holders located on the 2600 to 3000 blocks of Highway Avenue**
- (3) The public ways, sidewalks, bump-outs, public landscaping and plant holders located on the northern side of the 2800 to 3000 blocks of Jewett Street.**

**(B) Signs conspicuously displayed near or on the premises giving notice of this prohibition regarding riding, driving or propelling a skateboard on or around the identified public place(s) shall be posted giving notice of such regulation.**

## **§ 130.99 PENALTY.**

**(A) Any person who violates any provision of this chapter for which no penalty is otherwise provided shall be subject to the penalty provided in Section § 10.99.**

**(B) An officer of the Town of Highland Metropolitan Police Department may issue an ordinance violation citation to any person, firm or corporation who violates or fails to comply with this chapter.**

**(C) The penalty for the violation of Section § 130.02 of this chapter shall be a fine not to exceed \$2,500 for each offense.**

**(D) Violation of Section § 130.03 shall subject the violator to a fine of not less than Twenty-Five Dollars (\$25.00) and no more than Two Thousand Five Hundred Dollars (\$2,500.00) for each violation.**

(E) The penalty for violations of §§ 130.15 through 130.18 of this chapter shall be punished by a fine not to exceed \$100 for each offense. Each violation of said sections shall constitute a separate offense.

(F) Any person, entity or organization who shall violate Section § 130.04 of this chapter shall be fined in the amount set forth in the designated schedule as a payable offense subject to admission before the Violations Clerk of the Ordinance Violation Bureau in the amount set forth in the Admissions Clerk Payable Offenses Schedule in § 131.06.

(G) If such persons, entity or organization shall violate Section § 130.04 any provisions of this chapter, and there is a failure to satisfy the civil violation as set forth in Chapter 131 of this code, then such violations shall be construed as justiciable offenses and shall be subject to a fine of not less than \$25 per violation, nor more than \$2,500. Each day of such unlawful activity as is prohibited shall be deemed a separate offense.

## CHAPTER 150

### § 150.51 SKATEBOARDING IS PROHIBITED

(A) It is an offense for a person or persons to ride, drive or propel a skateboard on or around the following park locations and places:

(1) The stairs, walkways, platform, landing and approaches of the Gazebo at Main Square Park.

(2) The walkways, grounds, improvements, buildings, structures, playground sites and parking lot(s) at Main Square Park.

(B) Signs conspicuously displayed near or on the premises giving notice of this prohibition regarding riding, driving or propelling a skateboard on or around the identified public place(s) shall be posted giving notice of such regulation.

SENSE of COUNCIL RESOLUTION  
to be  
SUPPLIED LATER

SENSE of COUNCIL RESOLUTION  
to be  
SUPPLIED LATER

**Town of Highland  
Order of the Work Board No. 2007-07**

**A Preliminary Order Adopting and Approving Municipal General Improvement Fund Special Assessment Rolls for Property Owners Benefiting from the Branton Avenue Reconstruction Project**

**WHEREAS**, Pursuant to Ind. Code 36-1-2-24, the Town Council is the works board for the Town of Highland, Indiana (the "Town"); and

**WHEREAS**, Pursuant to Ordinance No. 1084, adopted by the Town Council on March 23, 1998, the Town has established a Municipal General Improvement Fund to provide monies to construct, repair, reconstruct or improve certain streets, alleys, sidewalks, curbs, gutters and sewers within the Town; and

**WHEREAS**, Pursuant to Order of the Works No. 2007-06, the Town Council confirmed Works Board Order No. 2007-05 and determined that the benefits to accrue to the property liable to be assessed for reconstruction of curbs and sidewalks in the 8700-8900 block of Branton Avenue (the "Improvements") will be in excess of the maximum estimated cost of the Improvements; and

**WHEREAS**, An assessment roll for the Improvements, including the name and owner of each parcel of property abutting on and adjacent to such Improvement, a description of each parcel of such property, and the total assessment against each parcel of property, copies of which are attached hereto as **Exhibit A** (each, an "Assessment Roll"), has been prepared and filed with this Town Council.

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the Town Council hereby adopts and approves the Assessment Roll for the Improvements.

**Section 2.** That the Town Council hereby determines to hold a public hearing regarding the Assessment Roll for the Improvements and to receive and hear remonstrances against the amounts assessed on the Assessment Roll and determine whether the lots or tracts of land have been or will be benefited by the Improvements in (a) the amount set forth on the Assessment Roll, (b) such greater or lesser amount, or (c) any amount at all, which public hearing will be held at the regular meeting place of the Town Council at 7:00 p.m. on **June 25, 2007**, and the Town Council further directs the Clerk-Treasurer to publish notice of such hearing and to mail notice of such hearing to property owners affected by the Improvements.

**Be it so Ordered.**

**Duly adopted and ordered** by the Town Council of the Town of Highland, Lake County, Indiana, this 11th day of June, 2007, by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**TOWN COUNCIL OF THE TOWN OF  
HIGHLAND, INDIANA**

\_\_\_\_\_  
Dan Dernulc, President

**Attest:**

\_\_\_\_\_  
Michael W. Griffin, Clerk-Treasurer

Key No.	Owner's name	Mailing Address	Street	Town	ST	Zip	Location Address	Legal Description	Street Frontage (LF)	Curb Assess (\$14,000 LF)	Sidewalk (FT)	Sidewalk (\$5)	Sidewalk (\$3.50/5F)	Total Assess
16-27-0007-0026	Norham Indiana Public Service Co.	8001 E. 86th Avenue	8700 Branton Avenue	Merrillville	IN	46401	8700 Branton Avenue	INPSCO Utility Right-of-Way (NW/4)	218.20	\$3,054.80	218.20	1091.00	\$3,818.50	\$6,873.30
16-27-0007-0026	Norham Indiana Public Service Co.	8001 E. 86th Avenue	8700 Branton Avenue	Merrillville	IN	46401	8700 Branton Avenue	INPSCO Utility Right-of-Way (NW/4)	218.20	\$3,054.80	218.20	1091.00	\$3,818.50	\$6,873.30
16-27-0038-0010	Edward C & Lorraine M Sharpe	8743 Branton Avenue	8743 Branton Avenue	Highland	Indiana	46322	8743 Branton Avenue	BRANTWOOD ADD. L.9 BL.2 N.25 FT. L.10 BL.2	52.00	\$728.00	0.00	0.00	\$0.00	\$728.00
16-27-0038-0010	Gregory Clark & Eun Kyung Cho	8751 Branton Avenue	8751 Branton Avenue	Highland	Indiana	46322	8751 Branton Avenue	BRANTWOOD ADD. L.11 BL.2 S.25 FT. L.10 BL.2	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0038-0013	Robert Uhl	8803 Branton Avenue	8803 Branton Avenue	Highland	Indiana	46322	8803 Branton Avenue	BRANTWOOD ADD. L.12 BL.2 N2. L.13 BL.2	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0038-0015	Laos County Trust Company as Trustee JONC/Michaela T. Johnson	2325 Kentworth Avenue	2325 Kentworth Avenue	Highland	Indiana	46322	2325 Kentworth Avenue	BRANTWOOD ADD. L.14 BL.2 S2. L.13 BL.2	150.00	\$2,100.00	0.00	0.00	\$0.00	\$2,100.00
16-27-0039-0010	Joseph El AL/UTR S Mongaraz	8817 Branton Avenue	8817 Branton Avenue	Highland	Indiana	46322	8817 Branton Avenue	BRANTWOOD ADD. L.9 BL.3	71.40	\$999.60	0.00	0.00	\$0.00	\$999.60
16-27-0039-0011	Andrew & Rosa Marie Lema	8825 Branton Avenue	8825 Branton Avenue	Highland	Indiana	46322	8825 Branton Avenue	BRANTWOOD ADD BLOCK 3 LOT8 10 TO N1/2 LOT 11	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0039-0013	Todd & Michelle O'Day	8833 Branton Avenue	8833 Branton Avenue	Highland	Indiana	46322	8833 Branton Avenue	BRANTWOOD ADD SOUTH 1/2 LOT 11 ALL LOT 12 BLOCK 3	75.00	\$1,050.00	10.00	50.00	\$175.00	\$1,225.00
16-27-0039-0016	John S. Cassasa, Trustee	8837 Branton Avenue	8837 Branton Avenue	Highland	Indiana	46322	8837 Branton Avenue	BRANTWOOD ADD. L.13 BL.3 N1/2 L.14 BL.3	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0039-0017	Alfreda A Trustee Mills	8845 Branton Avenue	8845 Branton Avenue	Highland	Indiana	46322	8845 Branton Avenue	BRANTWOOD ADD. L.15 BL.3 S1/2 L.14 BL.3	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0039-0018	Alfreda A Trustee Mills	8845 Branton Avenue	8845 Branton Avenue	Highland	Indiana	46322	8845 Branton Avenue	BRANTWOOD ADD. L.16 BL.3	71.30	\$998.20	71.30	356.50	\$1,247.75	\$2,245.95
16-27-0136-0014	Jeffrey A and Emily M George	8907 Branton Avenue	8907 Branton Avenue	Highland	Indiana	46322	8907 Branton Avenue	LUKOS PARK ADD. L.14	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0136-0015	Jeffrey Smil	8911 Branton Avenue	8911 Branton Avenue	Highland	Indiana	46322	8911 Branton Avenue	LUKOS PARK ADD. ALL L.15 N.25 FT. L.16	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0136-0017	Michael & Debra J Nestor Jr.	8919 Branton Avenue	8919 Branton Avenue	Highland	Indiana	46322	8919 Branton Avenue	LUKOS PARK ADD. S.25 FT. OF L.16 N.35 FT. OF L.17	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0136-0018	Gordon L & Judith W Warfield	8921 Branton Avenue	8921 Branton Avenue	Highland	Indiana	46322	8921 Branton Avenue	LUKOS PARK ADD. N.45 FT. L.18 S.15 FT. OF L.17	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0136-0019	Dan A and Candy L Absher	8927 Branton Avenue	8927 Branton Avenue	Highland	Indiana	46322	8927 Branton Avenue	LUKOS PARK ADD. S. SFT. L.18 ALL L.19	55.00	\$770.00	0.00	0.00	\$0.00	\$770.00
16-27-0136-0020	Steven W & Altha Shireff	8933 Branton Avenue	8933 Branton Avenue	Highland	Indiana	46322	8933 Branton Avenue	LUKOS PARK ADD. S. SFT. L.18 ALL L.19	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0136-0021	Perry Rubin	8935 Branton Avenue	8935 Branton Avenue	Highland	Indiana	46322	8935 Branton Avenue	LUKOS PARK ADD. S.40 FT. L.21 N.20 FT. L.22	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0136-0022	Jacqueline M Kibbell	8943 Branton Avenue	8943 Branton Avenue	Highland	Indiana	46322	8943 Branton Avenue	LUKOS PARK ADD. S.30 FT. L.22 N.40 FT. L.23	70.00	\$980.00	5.00	25.00	\$87.50	\$1,072.50
16-27-0136-0023	Joseph K & Laurie A Moon	8947 Branton Avenue	8947 Branton Avenue	Highland	Indiana	46322	8947 Branton Avenue	LUKOS PARK ADD. L.24 S.10 FT. OF L.23	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0136-0023	Suzannah O'Hart	8953 Branton Avenue	8953 Branton Avenue	Highland	Indiana	46322	8953 Branton Avenue	LUKOS PARK ADD. L.25 S. N.30 FT. VAC. PARKWAY BLVD. ON SOUTH LVG W. OF BRANTON AVE. & E. OF ALLEY	76.60	\$1,072.40	0.00	0.00	\$0.00	\$1,072.40
16-27-0041-0002	Tom & Karen Cumbsee	8902 Branton Avenue	8902 Branton Avenue	Highland	Indiana	46322	8902 Branton Avenue	BRANTWOOD ADD. L.3 BL.5 N1/2 L.2 BL.5	159.50	\$2,233.00	0.00	0.00	\$0.00	\$2,233.00
16-27-0041-0001	Mary Jane Fisher	8910 Branton Avenue	8910 Branton Avenue	Highland	Indiana	46322	8910 Branton Avenue	BRANTWOOD ADD. LOT 1 BL. 5 & S2 LOT 2 BL.5	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0040-0011	Damon & Donna J Schmidt	8918 Branton Avenue	8918 Branton Avenue	Highland	Indiana	46322	8918 Branton Avenue	BRANTWOOD ADD. L. 8 BL.4 DDC-2003-03916	71.40	\$999.60	0.00	0.00	\$0.00	\$999.60
16-27-0040-0009	James A & Dolores Swick	8922 Branton Avenue	8922 Branton Avenue	Highland	Indiana	46322	8922 Branton Avenue	BRANTWOOD ADD. N2. L.6 BL.4	26.00	\$350.00	0.00	0.00	\$0.00	\$350.00
16-27-0040-0010	James A & Dolores Swick	8922 Branton Avenue	8922 Branton Avenue	Highland	Indiana	46322	8922 Branton Avenue	BRANTWOOD ADD. L.7 BL.4	50.00	\$700.00	0.00	0.00	\$0.00	\$700.00
16-27-0040-0007	Che Vo	8928 Branton Avenue	8928 Branton Avenue	Highland	Indiana	46322	8928 Branton Avenue	BRANTWOOD ADD. L. 5 BL.4 S2. L.6 BL.4	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0040-0003	Edwin S & Beverly B Paulk	8938 Branton Avenue	8938 Branton Avenue	Highland	Indiana	46322	8938 Branton Avenue	BRANTWOOD ADD. L.4 BL.4 N1/2 L.3 BL.4	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0040-0002	Robert J & Mary K Jaselski	8942 Branton Avenue	8942 Branton Avenue	Highland	Indiana	46322	8942 Branton Avenue	BRANTWOOD ADD. L.2 BL.4 S1/2 L.3 BL.4	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0040-0001	Eliam M Drennan	8950 Branton Avenue	8950 Branton Avenue	Highland	Indiana	46322	8950 Branton Avenue	BRANTWOOD ADD. L.1 BL.4	71.34	\$998.76	0.00	0.00	\$0.00	\$998.76
16-27-0198-0001	Lorenzo C & Rebecca P Aquino	8908 Branton Avenue	8908 Branton Avenue	Highland	Indiana	46322	8908 Branton Avenue	BRANTWOOD 4TH ADDN LOT 1 DDC. 2003-063972	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0198-0002	Richard B & Peggy L Lenehan	8914 Branton Avenue	8914 Branton Avenue	Highland	Indiana	46322	8914 Branton Avenue	BRANTWOOD 4TH ADDN LOT 7 DDC-2001-059427	75.00	\$1,050.00	0.00	0.00	\$0.00	\$1,050.00
16-27-0198-0003	Keith R & Dawn K Vandemore	8918 Branton Avenue	8918 Branton Avenue	Highland	Indiana	46322	8918 Branton Avenue	BRANTWOOD 4TH ADDN LOT 3 DDC-2002-0944258	65.00	\$910.00	0.00	0.00	\$0.00	\$910.00
16-27-0198-0004	Robert & Patricia Phillips	8706 Linden Avenue	8922 Branton Avenue	Munster	Indiana	46321	8922 Branton Avenue	BRANTWOOD 4TH ADDN LOT 4	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0198-0003	Donald G Darron Jr. & Sandy Darron	8928 Branton Avenue	8928 Branton Avenue	Highland	Indiana	46322	8928 Branton Avenue	BRANTWOOD 4TH ADDN LOT 5	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0198-0008	Michael & Amy Castillo	8932 Branton Avenue	8932 Branton Avenue	Highland	Indiana	46322	8932 Branton Avenue	BRANTWOOD 4TH ADDN LOT 6	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0198-0007	Nicholas C & Viray L Wenzel	8938 Branton Avenue	8938 Branton Avenue	Highland	Indiana	46322	8938 Branton Avenue	BRANTWOOD 4TH ADDN LOT 7	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0198-0008	Clara D Barrella, dtd	8942 Branton Avenue	8942 Branton Avenue	Highland	Indiana	46322	8942 Branton Avenue	BRANTWOOD 4TH ADDN LOT 8	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0198-0009	Frances M. Et Al Carlson	8946 Branton Avenue	8946 Branton Avenue	Highland	Indiana	46322	8946 Branton Avenue	BRANTWOOD 4TH ADDN LOT 9	60.00	\$840.00	0.00	0.00	\$0.00	\$840.00
16-27-0198-0010	Ernest J & Patricia Mier	8952 Branton Avenue	8952 Branton Avenue	Highland	Indiana	46322	8952 Branton Avenue	BRANTWOOD 4TH ADDN LOT 10	59.00	\$826.00	5.00	25.00	\$87.50	\$913.50
									\$44,715.16				\$9,497.25	\$54,212.41



**The Town of Highland  
Board of Works  
Order of the Works Board No. 2007-08**

**AN ORDER for the TEMPORARY CLOSING  
OF THE HIGHLAND MUNICIPAL BUILDING on FRIDAY, JUNE 22, 2007**

**Whereas,** The Town Council has been reliably advised that owing to the scheduled marriage of the Town Clerk-Treasurer and the expressed desire of Office of the Clerk-Treasurer and some other staff to attend the special ceremony, it may be advisable to reduce access hours to the municipal building while maintaining a scheduled workday;

**Whereas,** Pursuant to IC 36-1-24(3), the Town Council is also the Works Board for the Town of Highland and governs the hours and other matters related to the Town Hall;

**Whereas,** The Town Council now desires to modify the access hours of the Highland Municipal Building on Friday, June 22, 2007;

**Now Therefore be it hereby Ordered** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1** That the hours of *access* at the administrative and associated offices (non-public safety) at the Highland Municipal Building on Friday, June 22, 2007 are hereby fixed at **8:30 a.m. to 2:30 p.m.** but the usual hours of operation or the scheduled workday are unchanged;

**Section 2.** That employees who desire to attend the wedding ceremony, may be released at 2:30 p.m. to attend the ceremony, but workers who attend will not be on working time nor is the event a work activity;

**Section 3.** That employees who desire to remain at the municipal building, may continue to perform their usual duties observing the usual hours of work;

**Section 4.** That the affected department heads and the Clerk-Treasurer shall carry out the purposes of this order;

**Section 5.** That the proper officer will take steps by appropriate media release to give notice of the subject of this order;

**Section 6.** That this order shall be effective on and from its passage and adoption by the legislative body acting as the works board of Town;

**Be it so Ordered.**

**DULY, PASSED, ADOPTED and ORDERED** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11<sup>th</sup> day of June 2007 having passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**WORKS BOARD of the TOWN of  
HIGHLAND, INDIANA**

\_\_\_\_\_  
Daniel E. Dernulc, President (IC 36-5-2-10)

Attest:

\_\_\_\_\_  
Michael W. Griffin, **Clerk-Treasurer** (IC 33-16-4-1; IC 36-5-6-5)

CDR 2007-20

TO be supplied later